

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCELINO MONTOYA-SANCHEZ,

Defendant.

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Case No. 2:15-cr-091(4)

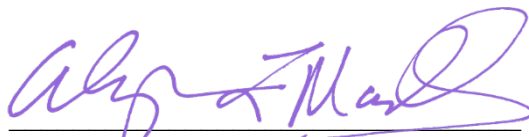
Chief Judge Algenon L. Marbley

ORDER OF DISMISSAL

This matter is before the Court on the Government's Motion To Dismiss Superseding Indictment and Warrant (ECF No. 115). The indictment and warrant at issue were filed over six years ago, on September 30, 2015. (ECF Nos. 63, 64). The Government has been unable to locate Defendant Montoya-Sanchez and believes he fled to Mexico. (ECF No. 115 at 2). In this situation, the Court agrees that it is preferable to close the now-stale case, without prejudice to refile the indictment and warrant if and when Defendant Montoya-Sanchez can be located.

Accordingly, the Government's Motion is **GRANTED**. The superseding indictment and warrant for Defendant Montoya-Sanchez are **DISMISSED** without prejudice.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: January 13, 2022